DEMOCRATIC PARTY OF WISCONSIN
RESOLUTION
ADOPTED JUNE 13, 2009

SUPPORTING WISCONSIN ASSEMBLY BILL 203 TO REQUIRE THE GOVERNOR TO EXAMINE ORDERS THAT PLACE WISCONSIN'S NATIONAL GUARD ON FEDERAL ACTIVE DUTY TO DETERMINE IF THEY ARE LAWFUL AND VALID

WHEREAS, under the Authorization for Use of Military Force Against Iraq Resolution of 2002, Congress federalized national guard battalions for the limited mission of defending the security of the United States against Iraq;

WHEREAS, Iraq was never a threat and yet Wisconsin's national guard remains deployed in Iraq and Afghanistan;

WHEREAS, stronger measures are needed to ensure that Wisconsin's national guard is not unlawfully federalized; and

WHEREAS, Assembly Bill 203 will require the governor to examine future federalization orders and report to the appropriate standing committees;

THEREFORE, RESOLVED, the DPW urges Wisconsin legislators to co-sponsor and support Assembly Bill 203.

To: The Committee on Veterans and Military Affairs
From: Benson Scotch
Re: 2009 Assembly Bill 203
Date: February 19, 2010

You have asked for my views about the validity and enforceability of AB 203, and I am happy to respond to this request. Please note that I am not a member of the Wisconsin Bar, and the comments I offer relate solely to the United States Constitution and laws as well as conventional rules and practices relating to statutory construction.

Background: AB 203 is similar to bills introduced in a number of states relating to the call to federal service for deployment overseas of state national guard units, sometimes called the *federalization* of state national guard units or of state national guards. Though the texts of these bills vary from state to state, they have in common the purpose of implementing a state-level review of particular federalization orders for the sole purpose of determining if such orders were issued consistently with federal law.

Construction of AB 203. The nexus--the very core--of AB203 is the clause, "If the governor determines that the [federalization] order is not lawful or valid, he or she shall take appropriate action to prevent the national guard from being placed on federal active duty." It should be noted that the sponsors have *not* included language that would authorize a governor of Wisconsin to approve or disapprove of a particular use of military force in the course of declaring that a particular federalization order did not comply with governing federal law. Articles 1 and 2 of the United States Constitution divide principal war powers between the Congress and the President respectively.

However, Articles 1 and 2 do not relate to or undermine a much broader principle: Federal orders invalid on their face, that is—invalid because a plain-reading comparison of the texts of the order, on the one hand, and the federal statute on which the order relies reveals a material inconsistency—should not be treated as enforceable federal orders.

Defining "Invalid on Their Face": The Example of Bills in Other States Analogous to AB 203, But Relating Solely to the War in Iraq. AB 203 is not limited to federalization orders relating to the war in Iraq, but a reference to very similar proposed legislation in states focusing exclusively on Iraq should be of help in understanding what is meant by the phrase "invalid on its face."

The predicate of the Iraq war bills in other states is simple: (1) Except in circumstances not relevant here, Congress must authorize the call into federal service of state national guards.[1] Congress did act to authorize the use of force in Iraq, and its

[1] 10 USC (U.S. Code) §12301(a); http://www4.law.cornell.edu/uscode/10/12301.html

legislation is known as the Authorization for Use of Military Force (AUMF) in Iraq[2]. The Iraq AUMF was narrow and specific. It sought to protect the United States from the perceived threat posed by Iraq and to enforce UN Security Council Resolutions relating to Iraq:

> SEC. 3. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.
> (a) AUTHORIZATION.—The President is authorized to use the Armed Forces of the United States as he determines to be necessary and appropriate in order to—
> (1) defend the national security of the United States against the continuing threat posed by Iraq; and (2) enforce all relevant United Nations Security Council resolutions regarding Iraq.

In the view of proponents of these bills, the purposes of the 2002 AUMF have been accomplished (Iraq is not a threat to the United States), have proven to be unfounded (the existence of WMDs), or have lapsed (No relevant Security Council resolution remains to be enforced). The Iraq AUMF has therefore expired by its own terms, and other than this AUMF, there is no authority uder the Constitution or the laws of the United States for the continued presence of National Guard members in Iraq, and indeed no authority for the use of force at all in Iraq.

Hence, under this theory, and under any analogous case presented by AB 203, since a President may not order national guard units into federal service without a valid congressional authorization, where that authorization is absent or has expired, the resultant federalization order lacks legal foundation. It follows that invalid orders calling a state National Guard into federal service should be declined, and the Guard units retained in their home states.

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[2] Public Law 107-243; http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=107-cong_public_laws&docid=f:publ243.107.pdf

We must emphasize that *validity* must be determined independently of the location, purpose, type, or schedule of such active duty.[3] In other words, the validity of the order must be determinable, not as the result of a governor's disagreement with the policies or wisdom of the underlying military mission, but as the result of readily determinable factors demonstrating invalidity. In the case of the 2002 AUMF it was readily determinable that the purposes set forth in the Authorization had been achieved or were moot, even though some extrinsic facts had to be assumed as true, such as the nonexistence of WMDs.

Examples of other "readily determinable" factors might be the inclusion in the AUMF of a termination date, a specific limit as to where force might be used, or a condition precedent to the use of force, such as the adoption of a UN Resolution consonant with the use of force. There might be many other examples. Again, although some extrinsic facts might need to be assumed (such as the day of the year, in the example of the termination date), "readily determinable" is a manageable standard, noting that federal call-up orders will arrive on a governor's desk with a strong, but rebuttable, presumption of validity.

AB 203 Is Consistent With the Role of States in the Federal System and Is a Proper Check on the Unauthorized Use of Executive Power.

Consistency With Traditional State Powers. AB 203 is not limited to orders relating to the Iraq War but covers "every federal order that places the national guard on federal active duty. . ." Bills in other states relating to ongoing wars in Iraq and in some cases Afghanistan may have the benefit of clarity and conciseness in determining at the legislative level that an AUMF has expired and is no longer valid. But in our view, bills like AB 203 that place the burden on a governor to present a detailed and reasoned argument if he or she believes that a federalization order does not pass muster provide additional safeguards against overstepping the limited state powers in this area--not the power to decide whether or when to use military force, but rather the power to determine that a federal order is clearly invalid on its face. In providing for individualized judgments by the Wisconsin Governor, AB 203 underscores the presumption, rebuttable as it is, that federal directives to states are valid. Moreover, AB 203 allows a governor to consider the most recent developments affecting his or her decision on what would necessarily be a solemn moment--deciding whether or not a federal military call-up order was invalid.[4]

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[3] *Perpich v. Department of Defense*, 496 U.S. 334 (1990) decided that Congress has barred states from refusing to comply with certain federalization orders on the basis of the location, purpose, type, or schedule of such duty. See 10 USC §12301(f).

[4] The states have always been closely involved with their respective National Guards, which in turn have been involved in wars. But the federal authority to "call out the militia" has been the primary

Check on the Unauthorized Call of the National Guard to Federal Service. Throughout our history, the President and the Congress have claimed a share of war powers under the Constitution, which together have often totaled more than one hundred percent. In 1973 Congress adopted the War Powers Act (WPA),[5] usually, but inaccurately, called the War Powers Resolution. As well summarized by the Congressional Research Service, "The purpose of the War Powers Resolution is to ensure that Congress and the President share in making decisions that may get the U.S. involved in hostilities." No president has recognized the constitutionality of the WPA, which proponents of very broad presidential war powers see as conflicting with the Commander-in-Chief's Article II powers and a time-consuming impediment, despite the WPA's provision recognizing the President's power to initiate the use of force in exigent circumstances without prior notice to Congress. President Bush did not feel bound by the 2002 AUMF, maintaining that his powers as Commander-in-Chief trumped the powers of the Congress to direct his conduct of the war,[6] including the power to set conditions on the use of force.

Second, other than the power of the purse, Congress has no practical power to enforce its conditions. Legislative attempts to set a timetable for the end of the war in funding legislation are subject to a presidential veto and an elusive veto override that must achieve a two-thirds majority in both houses of Congress. Congress could in theory withhold funding for the war altogether, but that alternative has never been seriously considered by Congress, since a vote to withhold funding for troops in the field is considered politically risky, and might not be effective in bringing the war to a close.

Paradoxically perhaps, the states, which do not share Article I or Article II war powers with the Congress and the President under the Constitution, may, in our view, question the federal call-up of their National Guards, *not on the basis of objections to a particular use of military force,*[7] but rather because a particular

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link to active federal service, beginning with the Militia Acts of 1792 and linked even more closely by the Militia Act of 1903, establishing the role of the National Guard of the United States; the National Defense Act of 1916, making the militias the primary reserve force and mandating use of the term "National Guard" for that force; and the National Guard Mobilization Act of 1933, making the National Guard a part of the U.S. Army.

5 P.L. 93-148, passed over President Nixon's veto on November 7, 1973. See http://www.thecre.com/fedlaw/legal22/warpow.htm

6 John Yoo, Deputy Assistant Attorney General, Office of Legal Counsel [to President George W. Bush], "The President's Constitutional Authority to Conduct Military Operations Against Terrorists and Nations Supporting Them," September 25, 2001; http://www.usdoj.gov/olc/warpowers925.htm

7 See Footnote 3, above.

order is based on a congressional authorization that is no longer valid and enforceable.

Challenges to Wisconsin's Power to Enforce AB 203 if Enacted.

Though I have not had the opportunity to review testimony in opposition to AB 203, opponents in other states have objected to similar bills on grounds that states lack the authority to challenge federal call-up orders under the Supremacy Clause of the Constitution, which states:

> This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

See, e.g., *McCulloch v. Maryland*, 4 Wheat. (17 U.S.) 316 (1819).

Supremacy Clause questions arise where federal and state laws are in conflict, and the issue is generally whether federal law expressly or impliedly preempts a conflicting state enactment. See, generally, *Ingersoll-Rand Co. v. McClendon*, 498 U.S. 133 (1990) (Explicit language, structure, and purpose of the Employee Retirement Income Security Act of 1974 (ERISA) demonstrate a congressional intent to preempt a state common law claim that an employee was unlawfully discharged to prevent his attainment of benefits under an ERISA-covered plan.)

In our view, AB 203 cannot present a federal preemption issue, since there is no conflict between a state and federal statute. Under the language of AB 203 it is the conflict between a federal call-up order and the congressional act presumably triggering the authority to federalize the Guard that enables a Wisconsin Governor to resist the call-up, rather than a conflict between the state law and a federal enactment, like an Authorization for Use of Military Force. Cf. *Printz v. United States*, 521 U.S. 898 (1997) ("Federal law establishes policy for the States just as firmly as laws enacted by state legislatures, but that does not mean that state or federal officials must implement directives that have not been specified in any law.") In the unlikely event that a Governor erred in declaring a federal order invalid, it would be an error by the Governor, and not an unconstitutional state law, that would be at issue. Only if Congress passed legislation requiring states to comply with invalid, as well as valid, federal orders would a Supremacy Clause issue arise.

The Exclusive Authority of the President. Opponents might argue that the federal Constitution grants to the President the exclusive power to determine whether the constitutional prerequisites for calling up the militia have been met, and that all persons are bound by that determination. A Supreme Court case sometimes cited in support of this proposition is *Martin v. Mott*, 25 U.S. 19, 20 1827 WL 3051 (1827). But *Martin v. Mott* does not confer on the President sole and plenary power over federalization of the Guard—far from it. That case focused on The Act of 1795, which provided "that whenever the United States *shall be invaded*, or *be in imminent danger of invasion* from any foreign nation or Indian tribe, it shall be lawful for the President of the United States to call forth such number of the militia of the State or States most convenient to the place of danger, or scene of action, as he may judge necessary to repel such invasion, and to issue his order for that purpose to such officer or officers of the militia as he shall think proper." (Emphasis supplied.)

Martin v. Mott , however, is confined to cases of actual invasion, or of imminent danger of invasion--hardly the kinds of AUMF's that Congress is likely to address in the foreseeable future. An even more fundamental point is that the law with respect to the state militias, now the National Guard, has evolved and is very different from the state of the law in 1827. See, generally, "The Military Clauses, the National Guard, and Federalism: A Constitutional Tug of War," 57 George Wash. L. Rev. 328 (1988).

Would the Action of a Wisconsin Governor Under an Enacted AB 203 Survive a Court Challenge?

Courts have usually declined to hear war powers cases—cases challenging the exercise of war powers, typically the initiation of the use of military force—under the political question exception to subject matter jurisdiction. Courts would be unlikely to hear an action brought by a plaintiff, say, a Guard member, a legislator, or a governor, seeking a declaration that the 2002 AUMF is no longer in effect because its purposes have been achieved or are moot. Again: A political question.

But the reluctance of courts to accept jurisdiction of war powers cases at the present time cannot be cited as grounds for states to willingly comply with invalid federalization orders. If A 203 is adopted and appropriately applied, there may come a time when a federal agency seeks judicial assistance in compelling state compliance.

Win or lose in such an event, the issue of accountability in the exercise of war

powers would be brought more clearly into the public square. It would be useful to know if Congress can impose enforceable conditions in an Authorization for Use of Military Force, and if so, what the path to enforcement might be. And if conditions cannot be imposed, then members of Congress and the public would know that AUMF requests to Congress are, in the political patois, straight up-or-down votes.

It would be useful to know if Congress can constitutionally adopt an AUMF that delegates such broad powers to a president that the intended division of war powers in the Constitution is thwarted.

Finally, it would be useful to know if states retain any of the powers with respect to their militias that the Founders believed were prudent, or whether even the power to resist invalid federal call-ups has been lost.

History makes all of these questions vital, and as study committees and Congress consider the future of war powers in America, this Wisconsin legislation might well play an important part in setting the agenda.

Conclusion: AB 203 is narrowly drafted, authorizes a Wisconsin Governor to do no more than due diligence would require in determining if a document on the Governor's desk is or is not a valid federal order, is not in conflict with any federal statute, and serves to double purpose of insuring the proper use of the Wisconsin National Guard and promoting adherence to federal law.

Distributed by Rep. Mike Fisher, VT. house member

Vermont bill
Similar to AB 203

H.738

Introduced by Representatives Fisher of Lincoln, Ancel of Calais, Aswad of Burlington, Atkins of Winooski, Bohi of Hartford, Botzow of Pownal, Burke of Brattleboro, Clarkson of Woodstock, Conquest of Newbury, Consejo of Sheldon, Courcelle of Rutland City, Davis of Washington, Deen of Westminster, Donahue of Northfield, Donovan of Burlington, Edwards of Brattleboro, Emmons of Springfield, Evans of Essex, Frank of Underhill, French of Shrewsbury, French of Randolph, Geier of South Burlington, Haas of Rochester, Heath of Westford, Hooper of Montpelier, Howard of Rutland City, Jewett of Ripton, Johnson of South Hero, Keenan of St. Albans City, Kitzmiller of Montpelier, Klein of East Montpelier, Lanpher of Vergennes, Larson of Burlington, Lenes of Shelburne, Lorber of Burlington, Macaig of Williston, Maier of Middlebury, Marek of Newfane, Martin of Springfield, Masland of Thetford, McCullough of Williston, Milkey of Brattleboro, Miller of Shaftsbury, Minter of Waterbury, Mitchell of Barnard, Moran of Wardsboro, Mrowicki of Putney, Nease of Johnson, Nuovo of Middlebury, O'Brien of Richmond, Obuchowski of Rockingham, Orr of Charlotte, Partridge of Windham, Pellett of

Chester, Peltz of Woodbury, Poirier of Barre City, Ram of Burlington, Shand of Weathersfield, Sharpe of Bristol, Smith of Mendon, Spengler of Colchester, Stevens of Waterbury, Stevens of Shoreham, Sweaney of Windsor, Taylor of Barre City, Toll of Danville, Townsend of Randolph, Waite-Simpson of Essex, Webb of Shelburne, Weston of Burlington, Wheeler of Derby, Wilson of Manchester, Wizowaty of Burlington, Young of St. Albans City, Zenie of Colchester and Zuckerman of Burlington

Referred to Committee on

Date:

Subject: Public protection; national guard; deployment

Statement of purpose: This bill proposes to require that the governor review every federal order that places the Vermont National Guard on federal active duty to determine whether the order was issued pursuant to a declaration of war.

An act relating to the Vermont National Guard

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. FINDINGS

(a) The general assembly holds the highest unwavering respect and support for the members of the Vermont National Guard for their service to our state and our nation. We honor them for their service and sacrifice. We also recognize and honor their families for the sacrifices they make in the absence of their loved ones. Our nation's military is based on the willingness of citizens to serve on a voluntary basis. Our Vermont National Guard members exemplify the spirit of that tradition.

(b) Under Article I, Section 8, Clause 15 of the United States Constitution, Congress may call forth the militia to execute the laws of the union, suppress insurrections, and repel invasions.

(c) Since 1933, federal law has provided that persons enlisting in a state national guard unit simultaneously enlist in the national guard of the United States, a part of the U.S. Army. The enlistees retain their status as state national guard members unless and until ordered to active federal duty and then revert to state status upon being relieved from federal service.

(d) Under the U.S. Constitution, each state's national guard unit is controlled by the governor, but can be called up for federal duty by the President of the United States, provided that the President is acting pursuant to the Constitution and laws of the United States.

(e) The War Powers Act of 1973 (Public Law 93-148) specifically limits the power of the President of the United States to wage war without the approval of Congress.

Sec. 2. 20 V.S.A. § 369 is added to read:

§ 369. LIMITATION OF VERMONT NATIONAL GUARD SERVICE IN WARS NOT STATUTORILY OR CONSTITUTIONALLY AUTHORIZED

The general assembly affirms that the Vermont National Guard shall only be sent into national service for deployment pursuant to a declaration of war or other congressional enactment that expressly authorizes the use of military force in a country or region and specifically describes the mission for which the national guard troops are to be deployed.

Sec. 3. 20 V.S.A. § 370 is added to read:

§ 370. GOVERNOR'S REVIEW OF FEDERAL DEPLOYMENT ORDERS FOR VERMONT NATIONAL GUARD; AUTHORITY FOR GOVERNOR TO DEPLOY OR NOT DEPLOY

(a) The governor shall review every federal order that places the Vermont National Guard on federal active duty after the effective date of this section to determine whether the order has been issued pursuant to a declaration of war, or is consistent with the specific terms and conditions of any other

congressional enactment and is therefore, in either event, lawful or valid. If the governor determines that the order is not lawful or valid, the governor shall take all necessary and appropriate actions to prevent the Vermont National Guard from being placed on federal active duty.

(b) Within 30 days after completing a review pursuant to subsection (a) of this section, the governor shall report to the house committee on general, housing and military affairs and the senate committee on government operations. The report shall summarize the review, including the decision reached, the reasoning for the decision, and any action the governor has taken or proposes to take in response to the review.

Sec. 4. 20 V.S.A. § 371 is added to read:

§ 371. AUTHORITY FOR THE VERMONT ATTORNEY GENERAL TO DEFEND DECISIONS TO DEPLOY OR NOT DEPLOY THE VERMONT NATIONAL GUARD

The attorney general is authorized to appear in any state or federal court with jurisdiction over the deployment of the Vermont National Guard to defend any decision of the governor and adjutant general with respect to their decision to deploy or not deploy the guard.

Steve Burns
AB 203

Wisconsin National Guard deployments 2008-2009

Source: Wisconsin Department of Military Affairs press releases

10/9/2009: Mobilization order received for nearly 400 Soldiers in the 724th Engineer Battalion, ordered to active duty beginning in March 2010 in support of Operation Iraqi Freedom.

8/18/2009: More than 200 Airmen from the 115th Fighter Wing prepare to deploy to Iraq in late September in support of Operation Iraqi Freedom.

5/14/2009: 128th Air Control Squadron ships out for a deployment to Qatar.

5/7/2009: Approximately 80 soldiers of the Headquarters and Headquarters Company, 732nd Combat Sustainment Support Battalion depart for about a month of training in Indiana before deploying to Iraq.

11/24/2008: Approximately 100 Wisconsin Army National Guard soldiers assigned to the 951st Sapper Company depart for Camp Shelby, Miss., for several weeks of additional training before they deploy in support of Operation Enduring Freedom in Afghanistan.

10/6/2008: Tomah-based 732nd Combat Sustainment Support Battalion headquarters ordered to active duty

9/8/2008: Wisconsin's 32nd Brigade Combat Team and six other units ordered to active duty

5/22/08: 17 Wisconsin Army National Guard soldiers, most of them from the Milwaukee-based 157th Maneuver Enhancement Brigade, depart for a one-year tour of duty in support of Operation Enduring Freedom.

3/28/2008: Eight Aviators from Madison-based Detachment 52, Operational Support Airlift Command, Madison's 147th Aviation Battalion and the 832nd Medical Company (Air Ambulance) of West Bend, depart for a tour of active duty that will include about six months' service in Iraq.

3/20/2008: Madison-based 112th Mobile Public Affairs Detachment begins a second tour of active duty departing for a one year mission in Cuba.

2/14/2008: Approximately 200 Wisconsin National Guard soldiers of the 951st Engineer Company, of Tomahawk and Rhinelander and the Tomah-based Headquarters Detachment, 732nd Combat Support Sustainment Battalion receive alert notifications for possible mobilization to active duty in support of Operation Iraqi Freedom or Operation Enduring Freedom.

1/12/2008: Approximately 300 airmen assigned to the Madison-based 115th Fighter Wing deploy to Iraq in support of Operation Iraqi Freedom.

Prepared by: Steve Burns, Wisconsin Network for Peace and Justice

AB 203

Comments - Bring The Guard Home, or Safeguarding the Guard

Hello, Good Afternoon. Thank you for this opportunity to speak. My name is Steve Books. I'm a former Wisconsin Army National Guardsman who was in the Wisconsin Guard officially from 1980 to 1985, HHC 264th Eng. Group. Eau Claire, WI, now in Chippewa Falls, WI, as a Radio/Teletype Operator. In late 1985, I transferred to the Texas Army National Guard in Houston Texas due to a Job Change and finished out my National Guard Service there in Texas, and after the job ended in Texas, I returned to Wisconsin in 1986.

I joined the Guard in 1980 due to being somewhat adventurous and a push from a friend to join together, and enlist together, but my friend wasn't able to pass his physical due to a knee injury. I was concerned with helping out to serve Wisconsin in some way, or form, so I signed on the dotted line.

I'm very concerned today, however, on how our Wisconsin Army National Guard is directly serving our State of Wisconsin. I'm in favor of this Bill, Assembly Bill 203, which would serve as a measure of checks and balances. After the September 11, 2001 attack, many young people signed up in the military including the National Guard to serve their country as a way to help protect our nation as a way of patriotic duty. This form of patriotic duty is something that I call Military Patriotism. Military Patriotism is one way to channel patriotism although there are many other forms of patriotic duty as Ameri Corps, Peace Corps, teaching, helping veterans, or some type of volunteer work that aids communities.

When the Iraq war started, were National Guard units pre-disposed to have an obligation to go there? Can you say what really needs to be said in that the war in Iraq was a questionable illegal war not authorized by congress? I can.

Any Military Patriotism must be channeled to a well thought out direction. Assembly Bill 203 would help insure that our national treasure, or what our own Governor Doyle called "The Greatest Citizen Militia in the World" during his January 26 "State of the State Address," is used with clear thinking and legal means, especially when called out of the State of Wisconsin for any reason. The truth <u>is</u> being told in the words of a cadence "you had a good job, but you left, you're right."

Yes, when a person signs on the "dotted line," you're expected to serve. But there is a fine line for an expectation to serve legally, and with an expected weighing of the purpose of what gains will be made for your service. As I mentioned, Military Patriotism is a form of patriotically serving for patriotic reasons. There are many forms of Military Patriotism within the military branches. Some branches of the Military are more militaristic that others. All branches however, must be used with the utmost concern regarding deployment, especially with an all volunteer military.

Looking back, has the war toll in Iraq and Afghanistan really been worth the total number of those service men and women killed, that has far exceed the number of those people killed in the Twin Towers, for a breach of an airline ticket counter, that continues to be problem?

In conclusion, there are many ways to serve our Nation. My bottom line is that any form of Patriotism, especially Military Patriotism, must be a well thought out process within our checks and balances form of government. Assembly Bill 203 will help insure that system of checks and balances to safeguard our Wisconsin Army National Guard.

Sincerely,

Steven J. Books

Steve Books
211 S. 2nd St.
Mount Horeb, WI 53572
Radio/Teletype Operator, HHC 264th Eng. Group. Eau Claire, WI 1980—1985, Texas National Guard, 1986, Houston Texas.

John Carey

Assembly Bill 203

Assembly Bill 203 can help to alleviate some very serious problems affecting the state of Wisconsin. The laws of our country and state clearly describe what the National Guard is intended to be utilized for issues affecting the state from which the local unit is based. This would include natural disasters, social unrest and other related issues of the state where the Guard is home based.

One example of the consequences of not having the National Guard based and present at their locality was the Katrina disaster in New Orleans. Their guard units were in Iraq or Afghanistan and not where they were needed in order to render aid and assistance in this terrible state of destruction. This situation could easily happen right here in Wisconsin.

Another issue would be the effects of these wars in undermining the economy of Wisconsin. They are draining our resources and effecting schools, health care as well as creating havoc and the destruction of the families of the Guard soldiers. With money being diverted from this state for the purpose of the intervening in these wars, there are not enough budgetary resources available for the needs of the local matters mentioned above. If this state of affairs continues it will be the undoing of our economy and severely reduce the quality of life of our people.

One result from returning our National Guard home would be to better use their resources and manpower in a much more legal and beneficial way more in line with our state laws as well as just doing what is best for our state. There are many useful works which could be accomplished by the availability for our National Guard here in Wisconsin where they are needed. We are just fooling ourselves if we think that by continuing attempts at dominating the world is to be useful or successful. Many countries have tried this course and have failed miserably. Is this what we really want to fall upon this great state and country?